

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CESAR RAMIREZ, # R15877,)
)
Plaintiff,)
)
vs.) **Case No. 13-cv-00535-JPG**
)
ZACHARY ROECHEMAN,)
ZINDY GEE,)
SLAVADOR ANTHONY GODINEZ,)
C/O NALLEY, and)
UNKNOWN PARTIES,)
)
Defendants.)

MEMORANDUM AND ORDER

GILBERT, District Judge:

On June 7, 2013, Plaintiff Cesar Ramirez brought suit pursuant to 42 U.S.C. § 1983 (Doc.

1). By Order dated July 10, 2013, certain claims were dismissed, while others were severed into a new action. The sole remaining claim in this action, Count 2, was dismissed without prejudice, but Plaintiff was given until August 9, 2013, to file an amended complaint. Plaintiff was cautioned that failure to file an amended complaint by the prescribed deadline would result in the action being dismissed (Doc. 9).

Plaintiff has not filed an amended complaint, and the deadline for doing so has passed. It appears that Plaintiff has abandoned this action. Pursuant to Federal Rule of Civil Procedure 41(b), dismissal for failure to comply with a court order is warranted; however, dismissal shall be without prejudice. No strike shall be assessed under 28 U.S.C. § 1915(g).

IT IS THEREFORE ORDERED that, for the reasons stated, this action is **DISMISSED WITHOUT PREJUDICE**. Judgment shall enter accordingly, closing this case.

DATED: September 30, 2013

s/ J. Phil Gilbert
UNITED STATES DISTRICT JUDGE